

City Council  
Atlanta, Georgia

10-0-0524

Z-10-06

Date Filed: 3-9-2010

AN ORDINANCE  
BY: ZONING COMMITTEE

**AN ORDINANCE TO AMEND ORDINANCE 74-11 WHICH REZONED PROPERTY FROM THE O-1 (OFFICE-INSTITUTIONAL) AND R-3 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE A-2C (APARTMENT CONDITIONAL) DISTRICT, FOR THE PURPOSE OF A SITE PLAN AMENDMENT.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the site plan for the property located at **3603 PIEDMONT ROAD, N.E.** be amended, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 100, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

C-5

## LEGAL DESCRIPTION

RECEIVED  
MAR - 9 2010  
Bureau of  
Planning

All that tract or parcel of land lying and being in Land Lots 97 and 98 of the 17th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at southeasterly end of the mitered intersection of the southeasterly right of way of Habersham Road (right of way varies) and the northeasterly right of way of Piedmont Road (right of way varies); thence proceeding southeasterly along said right of way of Piedmont Road a distance of 41.95 feet to a 1/2" rebar set, said point being the True Point of Beginning; from the True Point of Beginning, as thus established, leaving said right of way of Piedmont Road and proceeding North 48 degrees 21 minutes 48 seconds East a distance of 206.37 feet to a 1/2" rebar set; thence proceeding South 65 degrees 18 minutes 03 seconds East a distance of 109.38 feet to a 1/2" rebar set; thence proceeding South 71 degrees 40 minutes 50 seconds East a distance of 104.50 feet to a 1/2" rebar set; thence proceeding North 89 degrees 58 minutes 14 seconds East a distance of 166.43 feet to a 1" crimp top pipe found; thence proceeding South 48 degrees 50 minutes 29 seconds West a distance of 437.50 feet to a 1/2" rebar set on the northeasterly right of way of Piedmont Road; thence proceeding along said right of way of Piedmont Road the following courses and distances: North 40 degrees 49 minutes 38 seconds West a distance of 116.02 feet to a nail set, North 38 degrees 18 minutes 57 seconds West a distance of 150.22 feet to a 1/2" rebar set and North 41 degrees 26 minutes 28 seconds West a distance of 31.53 feet to the True Point of Beginning.

Said tract contains 89,224 square feet or 2.05 acres.

CITY HALL  
ATLANTA GEORGIA

AN ORDINANCE

Date Filed 4-3-74 No. Z - 74-11

BE IT ORDAINED by the Mayor and the Council of the City of Atlanta, as follows:

SECTION 1. THAT the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property, located 3601, 3603, and 3605 Piedmont Road

be changed from O-1 Office, Institutional and R-3 Residential District  
to A-2C Apartment Conditional District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 97 and 98 of the  
17 th District, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a point on the northeast side of Piedmont Road 587.7 feet southeastwardly from the intersection of the northeast side of Piedmont Road with the east side of Roswell Road and running thence northeastwardly 214.5 feet; thence southeastwardly 109.6 feet; thence southeasterly direction 105 feet; thence east 14.6 feet to an iron pin; thence east 151.4 feet; thence southwesterly 437.4 feet to Piedmont Road; thence running northwesterly, along the northerly side of Piedmont Road 300 feet and the point of beginning.

*conditions from  
Nina Gentry +  
verified with  
Greg Pace. Zoned  
A-2C in 1974.  
changed to R4S  
when ordinance  
changed in 1982*

SECTION 2. THAT this amendment is approved under the provisions of Section 38.60 of the Zoning Ordinance entitled "Conditional Development" and the Building Inspector shall issue a building permit for the development of the above described property only in strict compliance with the following conditions: NOTE: The conditional site plan hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Atlanta-Fulton County Joint Board of Adjustment.

*Cynda 1-22-10*

1. Approved on the site plan, as amended to provide a 65 foot setback on Piedmont Road, by Herbert C. Millkey and Associates, dated March 28, 1974.

SECTION 3 THAT the maps referred to, now on file in the Office of the Clerk of the Council, be changed to conform with the terms of this Ordinance.

SECTION 4. THAT all Ordinances or parts of Ordinances in conflict with the terms of this Ordinance are hereby repealed.

*A. Little*

ADOPTED by City Council June 17, 1974.  
APPROVED by Mayor June 20, 1974.



